

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

K.O. and E.O., Jr., by and through their parents and next friends, E.O. and L.J.; and C.J, by and through his father and next friend F.C.; each individually and on behalf of all others similarly situated,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 4:20-cv-12015-TSH

**PLAINTIFFS' ASSENTED-TO MOTION TO EXTEND THE
DEADLINE FOR PLAINTIFFS TO FILE AN AMENDED COMPLAINT AND/OR
PLAINTIFFS' OPPOSITION TO DEFENDANTS'
MOTION TO TRANSFER OR TO DISMISS THE COMPLAINT**

Plaintiffs respectfully move this Court, through this assented-to motion, for an extension of time to and including **April 11, 2022**, for Plaintiffs to file an Amended Complaint and/or their Opposition to Defendants' Motion to Transfer this Action to the Western District of Texas, or Alternatively to Dismiss Plaintiffs' Complaint (Doc. No. 33) ("Motion to Transfer or Dismiss").

Defendants filed their Motion to Transfer or Dismiss on February 28, 2022. Under Local Rule 7.1(b)(2), Plaintiffs' Opposition to the Motion to Transfer or Dismiss is currently due on March 14, 2022. Under Fed. R. Civ. P. 15(a)(1)(B), an amended complaint may be filed as a matter of course on or before March 21, 2022.

Given the complexity of this case and the legal issues raised in Defendants' Motion to Transfer or Dismiss (which was supported by a 31-page memorandum), Plaintiffs respectfully request a brief extension to and including **April 11, 2022** to file an amended complaint and/or to

prepare their Opposition to the Motion to Transfer or Dismiss. This is Plaintiffs' first request for an extension of these deadlines. Undersigned counsel for Plaintiffs has conferred with counsel for Defendant who assents to the relief sought in this Motion.

WHEREFORE, Plaintiffs move this Court through this assented-to motion to extend to and including **April 11, 2022**, the Deadline for Plaintiffs to file: (1) an amended complaint; and/or (2) Plaintiffs' Opposition to Defendants' Motion to Transfer This Action to the Western District of Texas, or Alternatively to Dismiss Plaintiffs' Complaint (Doc. No. 33).

Respectfully submitted,

K.O. and E.O., Jr., by and through their parents and next friends, E.O. and L.J.; and C.J, by and through his father and next friend F.C.; each individually and on behalf of all others similarly situated, on behalf of themselves and all others similarly situated,

By their attorneys,

Date: March 4, 2022

/s/ Joseph M. Cacace
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LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), counsel for Plaintiffs conferred with counsel for the Defendant by email on March 4, 2022 and counsel for Defendant assented to the relief sought in this motion.

/s/ Joseph M. Cacace
Joseph M. Cacace

CERTIFICATE OF SERVICE

I, Joseph M. Cacace, hereby certify that this document has been filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

Date: March 4, 2022

/s/ Joseph M. Cacace
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